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FACSIMILE TRANSMITTAL

TO:

Name: Mail Stop AF
Group Art Unit 3773/Examiner Melanie Ruano Tyson

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/098,683
Gary Karlin Michelson
Filed: March 15, 2002
SPINAL IMPLANT CONTAINING MULTIPLE
BONE GROWTH PROMOTING MATERIALS
(as amended)
Attorney Docket No. 101.0042-05000
Customer No. 22882
Confirmation No.: 7210

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 10

Date: May 29, 2008

Confirmation Copy to Follow: NO

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; total amount of \$510.00 to cover the Notice of Appeal fee is to be charged to Deposit Account No. 50-3726), Notice of Appeal, and Pre-Appeal Brief Request for Review with Form PTO/SB/33 are being facsimile transmitted to the U.S. Patent and Trademark Office on May 29, 2008.


Sandra L. Blackmon

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FORM PTO-1083

Attorney Docket No.: 101.0042-05000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Gary Karlin Michelson

Serial No: 10/098,683

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(as amended)

Confirmation No.: 7210

Art Unit: 3773

Examiner: Melanie Ruano Tyson

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to the Final Office Action dated March 14, 2008, transmitted herewith is a Notice of Appeal in reply to the Advisory Action of May 23, 2008 in the above-identified application.

- ☐ No additional fee is required.
- ☐ Applicant hereby requests a ***-month extension of time to respond to the above Office Action.
- ☐ Pre-Appeal Brief Request for Review and Form PTO/SB/33 are enclosed.
- ☒ The total amount of \$510.00 to cover the Notice of Appeal fee is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726.
- A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: May 29, 2008

By: 

Thomas H. Martin

Registration No. 34,383

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Telephone: 330-877-0700
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